IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 4624 OF 2005

Azad Babu More. ... Applicant.

Versus.

The State of Maharashtra. ... Respondent.

Shri P.R.Dave for the Applicant.

Shri A.S.Gadkari, A.P.P. for the Respondent.

CORAM : ABHAY S. OKA, J.

DATED : 25th July, 2005.

P.C.:

1. Heard the learned Counsel for the Applicant. The allegation against the Applicant is regarding commission of offence under section 302 of the Indian Penal Code. It is not in dispute that the investigation is still in progress. The learned A.P.P. on instructions stated that the investigation will be completed and within approximate period of 15 days from today, the charge sheet will be filed.

2. Considering the nature of allegations against the Applicant, the learned Sessions Judge was right when he rejected the application for bail. After charge sheet is filed, the Applicant can apply for bail which is bound to be considered in accordance with the law.

3. Hence the application is rejected. The statement of the A.P.P. recorded above is accepted. Notwithstanding

rejection of this Application, the Applicant will be free to apply for bail before the Sessions Court after filing of the charge sheet. If such an application is filed, it will be considered on merits in accordance with the law.

Judge.